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January 29, 2004

RECEIVED
FEB 05 2004
TC 1700

 *Express Mail*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: *Ser. No.:* 09/834,389
Title: Integrated and Modular BSP/MEA Manifold Plates for Fuel Cell
Use
Filed: 13 April 2001
Examiner: Gregg Cantelmo
Art Unit: 1745
Inventors: Franklin *et al.*
My ref. no.: 109.04

Dear Sir or Madam:

Enclosed for filing in the above-captioned case, please find the following:

- Response to Office Action with Amendment;
- IDS, with references;
- Certification Under 37 CFR 1.97(e)
- Petition for Extension of Time; and
- Fee Transmittal; and
- Acknowledgment Postcard.

Sincerely,

Da Mag

Daniel P. Maguire
(Reg. No. 41,506)

Enclosures

cc: Client
Tom Moran (for Arikara & Bawden)

Certification under 37 § C.F.R. § 1.10

I hereby certify that this transmittal letter and all the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on January 29, 2004 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, mailing label No. EV 372 653 234 US

Da Mag

Daniel P. Maguire (Reg. No. 41,506)

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Jerrold Franklin, et al.

Application No. 09/834,389

Filed: April 13, 2001

For: Integrated and Modular BSP/MEA
Manifold Plates for Fuel Cell Use

Date: January 29, 2004

Group Art Unit: 1745

Examiner: Greg Cantelmo

Attorney Ref. No.: 109,04

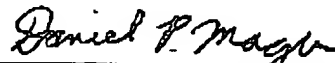
*Certification Under 37 CFR §1.97(e)*Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

The applicants for the above-captioned case hereby certify, under 37 CFR §1.97(e)(1), that all of the references cited in the Information Disclosure Statement submitted herewith were first cited to the applicants in a communication from a foreign patent office in a counterpart foreign application less than three months from today. Therefore, the enclosed Information Disclosure Statement is being filed without the payment of any fee.

Date: January 29, 2004

By:



Daniel P. Maguire, Reg. 41,506

Tel: (530) 750-3661

Attorney for Franklin and Mettler

Date: January 29, 2004

By:



Tom Moran, Reg. 26,314

Tel: (650) 843-5104

Attorney for Bawden and Arikara

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
653**Complete if Known**

Application Number	09/834,389
Filing Date	13 April 2001
First Named Inventor	Franklin
Examiner Name	Gregg Cantelmo
Art Unit	1745
Attorney Docket No.	109.04

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

502321

Daniel Maguire

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fee from below	Fee Paid
		-20** = 15	9	135
		-3** = 1	43	43

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				

(\$)
178

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	475
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 475

SUBMITTED BYName (Print/Type)
Daniel P. MaguireRegistration No.
(Attorney/Agent)
41,506**(Complete if applicable)**Telephone
530 750 3661

Signature

Date
1/29/04**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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